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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,908	12/22/2000	William Marcial	17837-00002	4443

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EXAMINER	
O'CONNOR, GERALD J	

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/747,908	Marcial et al.	
	Examiner	Art Unit	
	O'Connor	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *THREE* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *April 27, 2006 (Amdt)*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-73* is/are pending in the application.

4a) Of the above claim(s) *1-23* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *24-73* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *April 12, 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Preliminary Remarks

1. This Office action responds to the amendment and arguments filed by applicant on April 27, 2006 in reply to the previous Office action on the merits, mailed November 16, 2005.

2. The amendment of claims 24, 25, 32, 70, and 71 by applicant in the reply filed April 27, 2006 is hereby acknowledged.

3. PLEASE TAKE NOTICE that the examiner handling this application has changed. The new examiner is *Jerry O'Connor*. The Group Art Unit number is unchanged and is still *3627*.

Election/Restriction

4. This application contains claims 1-23 drawn to an invention nonelected with traverse in the reply filed September 12, 2003. A complete reply to the final rejection must include cancellation of the nonelected claims or other appropriate action (37 CFR 1.144). See MPEP § 821.01.

Drawings

5. Corrected or substitute formal drawings were received on April 12, 2001. These drawings are acceptable.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in-
>
> > (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
> >
> > (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

7. Claims 24-73 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al. (US 6,532,450).

Brown et al. disclose an account reconciliation system that utilizes a remote computer associated with a subsidiary (see e.g., Figure 2; 62; Fig. 1; 20, 22; col. 3, lines 52-65), a remote computer associated with the parent (it is noted that as broadly claimed, the col. 3 shows that a computer is associated with at least another division and therefore is associated with the parent); a centralized database (see Figure 2, 60); and a server associated with the parent (since it is associated with at least a division which is associated with the parent – e.g., col. 3, lines 52-65, Fig. 1; 18) capable of performing all recited steps.

Regarding claims 32 and 70, Brown et al. disclose an account reconciliation system that utilizes a subsidiary client sub-system comprising a browser; a remote computer associated with the parent (it is noted that as broadly claimed, the col. 3 shows that a computer is associated with at least another division and therefore is associated with the parent); a data storage device capable of storing all recited information (see Figure 2, 60); and a server sub-system associated with the parent (since it is associated with at least a division which is associated with the parent – e.g., col. 3, lines 52-65, Fig. 1; 18) capable of performing all recited steps.

Regarding dependent claims 25-31, 33-69, and 71-73, it is noted that Brown shows all elements.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 24-27, 30-34, 37-48, 50-60, and 62-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US 6,532,450), in view of the well known prior art.

Brown et al. disclose an account reconciliation system that utilizes a remote computer associated with a subsidiary (see e.g., Figure 2; 62; Fig. 1; 20, 22; col. 3, lines 52-65), a remote

computer associated with the parent (it is noted that as broadly claimed, the col. 3 shows that a computer is associated with at least another division and therefore is associated with the parent); a centralized database (see Figure 2, 60); and a server associated with the parent (since it is associated with at least a division which is associated with the parent – e.g., col. 3, lines 52-65, Fig. 1; 18) configured for receiving data from the other computers, calculating and reporting a variance to a user, reconciling, and updating a variance over a network (see e.g., Figure 2, 42). Brown et al. further show a network connecting the server to the computers (see col. 5, lines 2-5),. and a user interface allowing a requester to input account information and to receive account variance output (see col. 15, lines 1-2), but Brown et al. do not explicitly show that the reconciliation is between the parent and subsidiary; displaying a data entry table on the subsidiary computer; displaying on the subsidiary computer guidelines of at least one of the claimed types; or automatically comparing the additional entries to that stored in the database to determine whether it is duplicative.

However, the examiner takes official notice that to provide a server capable of performing these steps is notoriously old and well known in the art. It would have been obvious to one of ordinary skill in the art to modify the apparatus of Brown et al. by providing a server configured to perform these steps in order to ensure that the consolidated balance sheets are correct, to ease data entry by providing a structured table and by providing guidance; and in order to avoid calculation errors by double-counting data.

Regarding claim 25, the server of Brown et al. is further configured to automatically submit the account information to an account tracking application (see paragraph bridging col. 14-15).

Regarding claim 26, the server (42) of Brown et al. is configured to receive information by at least one of the Internet (see col. 5, lines 2-5), an intranet, a wide area network, and a local area network.

Regarding claim 27, the server of Brown et al. is configured to receive account balance information (see example in col. 15, lines 22-35).

Regarding claim 30, the server of Brown et al. is configured to calculate an account variance using a pre-defined algorithm (see col. 15, lines 20-22).

Regarding claim 31, the server of Brown et al. is configured to receive and store reconciliation information (see col. 15, lines 20-22).

Regarding claim 32, Brown et al. disclose all elements noted above, plus a network-based system (see col. 5, lines 2-5) for managing accounts reconciliation (see paragraph bridging col. 14-15), said system comprising: a client sub-system comprising a browser (inherent in viewing the Web),' a data storage device for storing information; a server sub-system configured to be coupled to said client sub-system and said database (via 60), said server sub-system further configured to: access an account reconciliation system after logging onto the system with a user identification and a password (see paragraph bridging col. 14-15)., receive an account information from a centralized database (via 60); and submit accounting entries to balance the

account based on the received account information to the centralized database to reconcile account variances (see step 616; col. 15, lines 1 1-14), but Brown et al. do not explicitly show that the reconciliation is between the parent and subsidiary; displaying a data entry table on the subsidiary computer; displaying on the subsidiary computer guidelines of at least one of the claimed types; or automatically comparing the additional entries to that stored in the database to determine whether it is duplicative.

However, the examiner takes official notice that to provide a server capable of performing these steps is notoriously old and well known in the art. It would have been obvious to one of ordinary skill in the art to modify the apparatus of Brown et al. by providing a server configured to perform these steps in order to ensure that the consolidated balance sheets are correct, to ease data entry by providing a structured table and by providing guidance; and in order to avoid calculation errors by double-counting data.

Regarding claim 33, the client sub-system of Brown et al. is further configured with: a displaying component to display available options to the user (via a monitor); and a sending component to send an inquiry to the server sub-system so that the server sub-system can process and download the requested information to the client sub-system (see col. 156, lines 1-3).

Regarding claim 34, the sending component of Brown et al. functions in response to a click of a mouse button (inherent input device).

Regarding claim 37, the server subsystem of Brown et al. is further configured with: a collection component for collecting information from users into the centralized database (via

60); a tracking component for tracking information on an on-going basis; a displaying component for displaying information; a receiving component for receiving an inquiry from the client sub system (via a monitor); and an accessing component for accessing the centralized database and causing the retrieved information to be displayed on the client sub-system (see col. 15, lines 1-3).

Regarding claim 38, the server subsystem of Brown et al. is further configured with a receiving component for receiving an inquiry to provide information from one of a plurality of users (see col. 15, lines 1-3).

Regarding claim 39, the server subsystem of Brown et al. is further configured with a processing component for searching and processing received inquiries against the data storage device containing a variety of information collected by the collection component (via server 42).

Regarding claim 40, the server subsystem of Brown et al. is further configured with a retrieving component to retrieve information from the data storage device (via 60).

Regarding claim 41, the server subsystem of Brown et al. is further configured with an information fulfillment component that downloads the requested information after receiving from the database to the plurality of users in the order in which the requests were received by the receiving component (see col. 15, lines 1-3).

Regarding claim 42, the server subsystem of Brown et al. is further configured to print requested information (see col. 15, lines 19-20, "hard copy").

Regarding claim 43, the server subsystem of Brown et al. is further configured to accept an inquiry from a user (see col. 15, lines 1-3).

Regarding claims 44 and 45, the server subsystem of Brown et al. is further configured to: display information on the client sub-system; and receive an inquiry from the client sub-system (see col. 15, lines 1-3).

Regarding claim 46, the server subsystem of Brown et al. is further configured to: track information on a real time basis', and store information on a real time basis by adding new information to the centralized database on a real time basis to provide up-to date information instantaneously to the user upon a request (information is tracked and stored as soon as it is received).

Regarding claim 47, the server subsystem of Brown et al. is further configured to receive information entered on-line (see col. 5, lines 2-5).

Regarding claim 48, the server subsystem of Brown et al. is further configured to receive information entered through at least one of a voice activation command and a device connected to the client sub-system (see keyboard in Fig. 2).

Regarding claim 50, the server subsystem of Brown et al. is further configured to display an HTML document downloaded by the server sub-system (see col. 5, lines 2-10).

Regarding claim 51, the server subsystem of Brown et al. is further configured to display at least one alternative out of various alternatives available to the user (it is inherent that the user be given at least one alternative.

Regarding claim 52, the server subsystem of Brown et al. is further configured to receive an account information further comprises the step of displaying at least one of a BSLA, an affiliate BSLA, an Account Number, a Description of the Account (see col. 8, lines 58-67), a Treasury Balance indicating the treasury balance booked by a parent corporation, a Business Balance indicating the amount booked by a subsidiary of the parent corporation, a Contact Name of the BSLA selected, a Contact Phone Number of the contact name, a Fiscal Month, a start date of the fiscal month, and an end date of the fiscal month.

Regarding claim 53, the server subsystem of Brown et al. is further configured to receive an account information further comprises the step of receiving a variance amount between a business balance and a treasury balance (see col. 15, lines 20-22).

Regarding claim 54, the server subsystem of Brown et al. is further configured to receive an account information further comprises the 'steps of: display at least one row to enter information; and display at least one column to allow a user to input at least one of a dollar amount Booked by Business (see col. 8, lines 58-67), a dollar amount Booked by Treasury, a Currency Code, a Conversion Rate, a Description, a date of transaction, an amount identified in Treasury Journal, a Treasury Source relating to the treasury journal, a code for an Office and a Legal Entity.

Regarding claim 55, the server subsystem of Brown et al. is further configured to: enter against an account identifier (see col. 8, lines 58-67) at least one of a dollar amount Booked by Business, a dollar amount Booked by Treasury, a Currency Code, a Conversion Rate, a

Description, a date of transaction, an amount identified in Treasury Journal, a Treasury Source relating to the treasury journal, a code for an Office and a Legal Entity; and store against the account identifier at least one of a dollar amount Booked by Business, a dollar amount Booked by Treasury, a Currency Code, a Conversion Rate, a Description, a date of transaction, an amount identified in Treasury Journal. a Treasury Source relating to the treasury journal, a code for an Office and a Legal Entity.

Regarding claim 56, the server subsystem of Brown et al. is further configured to: compute a new account variance between a business balance and a treasury balance; download the new account variance (see col. 15, lines 30-35); and display the new account variance.

Regarding claim 57, the server subsystem of Brown et al. is further configured to generate account reconciliation information in a variety of reporting formats (see col. 15, lines 18-20).

Regarding claim 58, the server subsystem of Brown et al. is further configured to: download requested information from said server sub-system; and display requested information on said client sub-system in response to the inquiry (via monitor).

Regarding claim 59, the server subsystem of Brown et al. is further configured to print requested information (see col. 15, lines 18-20).

Regarding claim 60, the server subsystem of Brown et al. is further configured to: receive an inquiry from a user (see col. 15, lines 1-3)., accept the inquiry from a user; and deliver information to the user in response to the inquiry.

Regarding claim 62, the server subsystem of Brown et al. is further configured to display an HTML document downloaded by said server sub-system (see col. 5, lines 2-10).

Regarding claim 63, the server subsystem of Brown et al. is further configured to display at least one alternative from various alternatives available to the user (inherent).

Regarding claim 64, the server subsystem of Brown et al. is further configured to: access the centralized database (via 60); search the database regarding the specific inquiry; retrieve information from the database; and transmit the retrieved information to the client system for display by the client system.

Regarding claim 65, the server subsystem of Brown et al. is further configured to select one of a method for submitting accounting entries out of at least an Enter Cash Account Reconciliation and a Down/up Load Cash Account Reconciliation (see paragraph bridging col. 14-15).

Regarding claim 66, the server subsystem of Brown et al. is further configured to: enter a user input against an account identifier at least one of a dollar amount Booked by Business (see col. 8, lines 58-67), a dollar amount Booked by Treasury, a Currency Code, a Conversion Rate, a Description, a date of transaction, an amount identified in Treasury Journal, a Treasury Source relating to the treasury journal, a code for an Office and a Legal Entity; store the user input against the account identifier at least one of a dollar amount Booked by Business, a dollar amount Booked by Treasury, a Currency Code, a Conversion Rate, a Description, a date of transaction, an amount identified in Treasury Journal, a Treasury Source relating to the treasury

journal, a code for an Office and a Legal Entity; upload the user input to update the account information; and compute new account variance between a business balance and a treasury balance.

Regarding claim 67, the server subsystem of Brown et al. is further configured to: create required files associated with the account; display against an account identifier (see col. 8, lines 58-67), at least one of a BSLA, an affiliate BSLA, an Account Number, a Description of the Account, a Treasury Balance indicating the treasury balance booked by a parent corporation, a Business Balance indicating the amount booked by a subsidiary of the parent corporation, a Contact Name of the BSLA selected, a Contact Phone Number of the contact name, a Fiscal Month, a start date of the fiscal month, and an end date of the fiscal month; display at least one column to allow a user to input at least one of a dollar amount Booked by Business, a dollar amount Booked by Treasury, a Currency Code, a Conversion Rate, a Description, a date of transaction, an amount identified in Treasury Journal, a Treasury Source relating to the treasury journal, a code for an Office and a Legal Entity; accept a user input against the account identifier and at least one of a dollar amount Booked by Business, a dollar amount Booked by Treasury, a Currency Code, a Conversion Rate, a Description, a date of transaction, an amount identified in Treasury Journal, a Treasury Source relating to the treasury journal, a code for an Office and a Legal Entity; and store the user input against the account identifier and at least one of a dollar amount Booked by Business, a dollar amount Booked by Treasury, a Currency Code, a

Conversion Rate, a Description, a date of transaction, an amount identified in Treasury Journal, a Treasury Source relating to the treasury journal, a code for an Office and a Legal Entity.

Regarding claim 68, the server subsystem of Brown et al. is further configured to: upload the user input to update the account information; and compute a new account variance between a business balance and a treasury balance (see col. 15, lines 20-22).

Regarding claim 69, the server subsystem of Brown et al. is further configured to connect to the client sub-system via a network and wherein the network is one of a wide area network, a local area network, an intranet, and the Internet (see col. 5, lines 2-5).

Regarding claim 70, Brown et al. disclose all elements discussed above, plus a network based account reconciliation system coupled to a centralized database (via 60), said system comprising: a client sub-system including a browser; a data storage device for storing information; a server sub-system (42) configured to be coupled to said client sub-system and said database, said server sub-system further configured to: receive an account information (see col. 8, lines 58-67); analyze accounting entries relating to the account based on the account information; compute the account variance by comparing the received account information against the account information stored in said centralized database (see col. 15, lines 20-22); report the account variance to a user in response to an inquiry (see col. 15, lines 18-20); and prompt the user for additional accounting information, but Brown et al. do not explicitly show that the reconciliation is between the parent and subsidiary; or automatically comparing the additional entries to that stored in the database to determine whether it is duplicative.

However, the examiner takes official notice that to provide a server capable of performing these steps is notoriously old and well known in the art. It would have been obvious to one of ordinary skill in the art to modify the apparatus of Brown et al. by providing a server configured to perform these steps in order to ensure that the consolidated balance sheets are correct, and in order to avoid calculation errors by double-counting data.

Alternatively, Brown et al. show all elements except that the reconciliation is between the parent and subsidiary; prompting the user associated with the subsidiary to enter additional accounting entries; or automatically comparing the additional entries to that stored in the database to determine whether it is duplicative.

However, the examiner takes official notice that to provide a server capable of performing these steps is notoriously old and well known in the art. It would have been obvious to one of ordinary skill in the art to modify the apparatus of Brown et al. by providing a server configured to perform these steps in order to ensure that the consolidated balance sheets are correct, to facilitate reconciliation by instructing the user to provide needed information; and in order to avoid calculation errors by double-counting data.

Regarding claim 71, the server subsystem of Brown et al. is further configured to submit the account information to an account tracking application (via 14 and 22).

Regarding claim 72, the server subsystem of Brown et al. is further configured to receive and store at least one of a user's account balance information and reconciliation information (see paragraph bridging col. 14-15).

Regarding claim 73, the server subsystem of Brown et al. is further configured to receive the account information via at least one of an intranet, the Internet, a local area network, and a wide area network (see column 5, lines 2-5).

10. Claims 28, 29, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US 6,532,450), in view of the well known prior art, as applied to claims 24 and 32 above, and further in view of Hollander et al. (Accounting Information Technology, and Business Solutions).

Brown et al., in view of the well known prior art, disclose all the claimed limitations as set forth above, but fail to expressly disclose the use of access controls to restrict unauthorized access to accounting systems. However, Hollander et al. disclose accounting information systems and the use of access controls to restrict unauthorized access to the systems (see pages 463-464). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system of Brown et al. with the access control taught by Hollander et al., because accounting data is sensitive information that is most accurate when protected from authorized tampering.

11. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US 6,532,450), in view of the well known prior art, as applied to claims 32-34 above, and further in view of Yarnall et al. (US 6,625,617).

Brown et al., in view of the well known prior art, disclose all the claimed limitations as set forth above, but fail to expressly disclose the use of a voice command input of data. However, Yarnall et al. teach the use of accounting system that allows users to input data via voice command (see column 14, lines 26-28). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown et al. with a voice command input device as taught by Yarnall et al., because voice command input devices allow users that are incapable of using physical input devices such as a keyboard or mouse with the ability to input information.

12. Claims 49 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US 6,532,450), in view of the well known prior art, as applied to claims 32 and 47 above, and further in view of Erwin et al. (US 6,249,770).

Brown et al., in view of the well known prior art, disclose all the claimed limitations as set forth above, but fail to expressly disclose a server subsystem configured to submit a request through pull down menus. However, Erwin et al. teach the use of an financial system that utilizes pull-down menus to input information (see column 9, lines 17-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system of Brown et al. so as to use pull-down menus as taught by Erwin et al., because pull-down menus provide a user-friendly graphical user interface for the input of information.

Response to Arguments

13. Applicant's arguments filed April 27, 2006 have been fully considered but are not persuasive.

14. Regarding the arguments that Brown et al. do not disclose all of the recited functional language recited by applicant's apparatus claims, such as the same specific relationships between the various business entities (e.g., "parent," "subsidiary," etc.), a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is ***capable*** of performing the intended use, then it meets the claim. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

15. To the extent that applicant is arguing that the references applied in the rejection fail to use the same names for certain elements as the names used by applicant, the argument is irrelevant, as it is noted that the disclosure in a reference must show the claimed elements arranged in the same manner as in the claims, but ***need not be in the identical words*** as used in the claims in order to be anticipatory. See *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990).

16. Regarding the traversal of the examiner's taking of official notice, the traversal is not a proper traversal because applicant fails to address the stated object(s) as to what is well known. Applicant appears to be confused between the examiner's finding of what is and is not prior art, and

the motivation to combine the various elements of prior art. What applicant states is the examiner's statement of official notice is, in fact, the examiner's statement of the motivation to combine.

So, to the extent that applicant is arguing that the examiner has failed to provide a reference as evidence of what the examiner has found to be "well known" prior art, the argument has been disregarded as merely spurious, since challenging the existence of well known prior art by merely arguing that the fact is not supported by a reference, without stating for the record that the examiner is wrong or that applicant is without knowledge of the prior art teaching (or, as in this case, stating for the record that the examiner is wrong or that applicant is without knowledge of something other than the officially noticed fact as to what is well known prior art), does not constitute a proper traversal of the finding(s). Whereas any further traversal would no longer be seasonable, the objects of the well known statements are therefore now deemed and considered henceforth to be admitted prior art. See MPEP § 2144.03(C).

And, to the extent that applicant is arguing that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves ***or in the knowledge generally available to one of ordinary skill in the art***. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the knowledge generally available to one of ordinary skill in the art would include taking steps to ensure the accuracy of accounting data being input into a database.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to the disclosure.

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19. Any inquiry concerning this communication, or earlier communications, should be directed to the examiner, **Jerry O'Connor**, whose telephone number is **(571) 272-6787**, and whose facsimile number is (571) 273-6787.

The examiner can normally be reached weekdays from 9:30 to 6:00.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Mr. Alexander Kalinowski, can be reached at (571) 272-6771.

Official replies to this Office action may be submitted by any ***one*** of fax, mail, or hand delivery. **Faxed replies are preferred and should be directed to (571) 273-8300.** Mailed replies

should be addressed to "Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450." Hand delivered replies should be delivered to the "Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314."

GJOC
July 10, 2006

7/10/06

Gerald J. O'Connor
Primary Examiner
Group Art Unit 3627